

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 ) CASE NO. CR12-047-MJP  
Plaintiff, )  
 )  
v. )  
 ) DETENTION ORDER  
JORGE GARCIA-RODRIGUEZ, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Offense charged: Conspiracy to Distribute Controlled Substances

Date of Detention Hearing: April 2, 2012.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03         2. Defendant's criminal record includes two previous VUCSA convictions. If  
04 formally alleged, these convictions could lead to the imposition of a penalty of life  
05 imprisonment. Defendant's second VUCSA conviction was committed while either on  
06 probation or just after completing probation for the first VUCSA conviction, and the instant  
07 offense allegedly occurred not long after supervision terminated for the second VUCSA  
08 conviction. Defendant is a U.S. citizen, although his wife is a Mexican national. He has  
09 traveled to Mexico several times in the last 10 years. Defendant previously was a user of  
10 controlled substances.

11         3. Taken as a whole, the record does not effectively rebut the presumption that no  
12 condition or combination of conditions will reasonably assure the appearance of the defendant  
13 as required and the safety of the community.

14 It is therefore ORDERED:

- 15         1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
16         General for confinement in a correction facility separate, to the extent practicable, from  
17         persons awaiting or serving sentences or being held in custody pending appeal;
- 18         2. Defendant shall be afforded reasonable opportunity for private consultation with  
19         counsel;
- 20         3. On order of the United States or on request of an attorney for the Government, the  
21         person in charge of the corrections facility in which defendant is confined shall deliver  
22         the defendant to a United States Marshal for the purpose of an appearance in connection

01 with a court proceeding; and

- 02 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
03 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
04 Officer.

05 DATED this 3rd day of April, 2012.

07 

08 Mary Alice Theiler  
09 United States Magistrate Judge